

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X	
MITRE SPORTS INTERNATIONAL LIMITED,	:
	:
Plaintiff,	:
	:
	:
v.	:
	:
HOME BOX OFFICE, INC.,	:
	:
Defendant.	:
-----X	

No. 08-CIV-9117 (GBD)(HBP)

DECLARATION OF ANKUR KAPOOR

I, Ankur Kapoor, declare as follows:

1. I am admitted to the Bar of this Court and am a partner at the law firm of Constantine Cannon LLP, counsel for plaintiff Mitre Sports International Limited ("Mitre") in this case. I submit this declaration in support of Mitre's opposition to defendant Home Box Office, Inc.'s ("HBO") motion to quash the trial subpoena of Richard Plepler (ECF No. 393). I make this declaration based on my personal knowledge.
2. During a telephonic meet and confer on February 4, 2015, I asked counsel for HBO if they would accept service of a trial subpoena on behalf of Richard Plepler. Counsel for HBO did not provide Mitre with an answer at that time and said they would get back to me.
3. Attached hereto as Exhibit 1 is a true and correct copy of excerpts of the transcript of the deposition of Ross Greenburg, taken April 22, 2010, containing Mitre's trial designations and HBO's objections.
4. Attached hereto as Exhibit 2 is a true and correct copy of an email from Richard Plepler to Ross Greenburg and Raymond Stallone, produced by HBO in this litigation and marked as Mitre's trial exhibit PX0322.

5. Attached hereto as Exhibit 3 is a true and correct copy of Mitre's trial witness list transmitted to HBO on December 22, 2014.

6. Attached hereto as Exhibit 4 is a true and correct copy of an email chain dated February 3, 2015, among Thomas Hentoff, Allison Jones, Jean Kim, and myself.

7. Attached hereto as Exhibit 5 is a true and correct copy of a letter dated February 17, 2015, from me to Thomas Hentoff.

8. Attached hereto as Exhibit 6 is a true and correct copy of a letter dated February 19, 2015, from me to Thomas Hentoff.

9. Attached hereto as Exhibit 7 is a true and correct copy of a letter dated February 26, 2015, from Thomas Hentoff to me.

10. Attached hereto as Exhibit 8 is a true and correct copy of excerpts from the transcript of the deposition of Kirby Bradley, taken May 25, 2010.

11. Attached hereto as Exhibit 9 is a true and correct copy of Mitre's trial exhibit list with HBO's objections.

12. Attached hereto as Exhibit 10 is a true and correct copy of the invitation to the 2009 Asia Society Annual Dinner, obtained at http://www.asiasociety.org/files/pdf/AS_annual_dinner_09_invite.pdf

13. Attached hereto as Exhibit 11 is a true and correct copy of a photograph of Richard Plepler and Steven Rubenstein at the July 19, 2009 'Entourage' premiere screening at the Grand Havana Room in New York, obtained at http://www.rexfeatures.com/livefeed/y1328f5d47/%27entourage%27_premiere_screening_at_the_grand_havana_room_in_new_y

14. Attached hereto as Exhibit 12 is a true and correct copy of a photograph of Samantha Power addressing an audience at the United Nations on June 19, 2009, for the screening of the HBO documentary 'Sergio,' which Mr. Plepler attended, available at <http://www.zimbio.com/photos/Samantha+Power/HBO+Documentary+Screening+Sergio/GqPrKx2xvAV>

15. Attached hereto as Exhibit 13 is a true and correct copy of an article from The New York Times, dated September 21, 2012, titled "There's Something About Richard."

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated: April 3, 2015


Ankur Kapoor